

RECEIVED  
UNITED STATES DISTRICT COURT CHARLESTON SOUTH CAROLINA

Angela Nails,  
Plaintiff,

2024 NOV 12 AM 9:44

Vs.

Case Number

Privacy Office VA Charleston, S.C.

2:24-cv-6405-RMG-MGB

Social Worker-Loyd VA,

Defendants,

**NEGLIGENCE AND MALPRACTICE**

Complaint was written on the letter the date March 20, 2024. The Privacy Office received information of a violation was made against the Veteran. On the date of the Privacy violation January 17, 2024. The violation occurred when the Veteran was at an 11:15 a.m. clinic appointment with the Veteran Nurse Practitioner O. It was 10 minutes during the Veteran appointment when Social Worker came into the clinical room with the Veteran and the Veteran Nurse Practitioner O. The Social worker did not knock before entering the same room with the Veteran and Nurse Practitioner O. The Veteran stated to Social Worker you did not knock. Social Worker said she wanted to read the Veteran a Form. Social Worker Read the form and asks the Veteran to sign the form, the Veteran did not sign the form. Then shortly after the Social Worker removed herself. The Social Worker scheduled a January 17, 2024, 2:15 p.m. appointment to meet with the Veteran. The Social Worker choice was to invade the privacy of the Veteran while in the treatment care room with the Nurse Practitioner.

The Privacy Office received the Veteran complaint April 12, 2024. The investigator of the complaint completed the investigation June 2024, Veteran received a copy. The Privacy Office written investigation reported stated interviews were completed with Social Worker and third part who is the Nurse Practitioner. The Nurse Practitioner statement was not part of the investigation Freedom of Information, but the Privacy Office stated in the investigation report the third party stated the Social Worker was a witness. The investigator stated the interview with

the Social Worker stated the information on the form was about Veteran behavior at other appointments at the Veteran Administration Building. The investigator never continued to proceed with the investigation asking the Social Worker, in what areas of the VA Clinic of the Veteran behavior. The investigator of the Privacy Office had not collected document evidence from the Social Worker of the Veteran behavior in area of the VA. The evidence was not attached to the Privacy Office investigator final Privacy Office report.

The Privacy Office of the VA refused to talk with the Veteran Professionally about documents of the Privacy Office Investigator report that were not part of the Privacy Office investigation finding letter to the Veteran. The Veteran had to make a complaint another complaint within the VA to proceed with asking questions about the Privacy Office volunteering talking to the Veteran about reason there were no evidence documents attached to the Privacy Office Investigation finding letter sent to Veteran.

The Privacy Office Investigator wrote in the investigation report the Veterans medical records were open and read. The Privacy Office Investigator did not contact me about signing a medical release form.

The VA Social Worker has had many inappropriate actions going on during phone communications with the Veteran. The Veteran reported the inappropriate actions of the Social Worker with Dr. King, she is the Social Worker Supervisor.

VA Privacy Act 1974 (5 U.S. C. A 552 a) requires VA to protect the Veteran personal information the VA maintains in Systems of Record. And

#### Types of Wrongdoings by Social Worker

##### **I. The VA Guidelines:**

1. The VA employees entering a room, the employee who does not knock on a

close door and walks into the close door before being told to enter the VA employee has not followed both Guidelines and Privacy guideline, knock before entering a Veteran (s) appointment room (s). And if the VA employees failed to follow the VA Privacy Guidelines by not knocking policy the employee violates the guideline and policy, they both, they both have been caused by the VA employee and is the violation against the Veteran right and the VA Employee violation is instruction on a Veteran privacy.

2. Public embarrassing the private facts about the Veteran.
3. Placing a person into a false light in the public eye; and
4. Wrongful intrusion into the Veteran (s) private activities.

#### Type of Wrongdoing by Privacy Office Investigator

## **II.**

The Veteran VA Claims record, Military Medical Record, etc. are Private and follow the Guidelines and Privacy Act requirement of the Veteran (s) signing a medical Record Release Form needing the Veterans signature and Social Security Number.

#### Immunity

The VA responsibilities and the VA is a Federal Government Department. The VA cares for Veterans who have served in the Arm Forces, and those Veterans who have discharged with an Honorable Discharge, and who have a 10% or more disability can be seen by VA medical employees on the VA staff. Veterans go to the VA Clinic for medical treatment and to take advantage of any other medical care and treatment or Veterans can be medical seen by a non-federal government employees through Community Care for the Veterans medical care treatments, and travel for the Veteran's medical needs and appointments.

The VA can only be immune from personal liability under the Federal Tort Claims Act (FTCA) for acts and omissions that allegedly occurred when working. And the VHA Directive 1083 (2), Notification of Medical Malpractice (Tort) Claims.

The VA employees were working but were not doing what would be known to their employers of doing what should be completed while on duty there is no immunity for this complaint.

**Medical Malpractice under the VA Federal Government medical practice has no immunity.**

#### Compensation

Standing before the United States District Court for Compensation of VA Privacy Act Guidelines and Medical Malpractice Laws, when the filing of the complaint is Granted to be heard before the United States District Court. The compensation asked for is above the jurisdiction amount of \$75,000.00. The compensation asked for is \$500,000,000,000,00 dollars.

The large amount is asked for the documentation in the medical files will satisfy the claim of the VA employes violation. The Veteran has rights of respect and respecting the Veteran personal freedom in the care of treatment the VA provides. The veteran has the right to dignity from a VA employee(s).

#### Defendant Service Address for Registered Agent

HIPAA Privacy Officer 169 Ashly Avenue or Post Office Box 250332 Charleston, South Carolina 29425.

*Angela Nails*

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10708 EMONT ROAD  
SAVANNAH, GEORIGIA 31406

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NOTICE OF SERVICE

United State Postal Service Mail was used 10/31/24; 2024 mailing Original Complaint to

The Clerk of the Court address 85 Broad Street Charleston, South Carolina 29401.

*Angela Nails*

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